

SKAMANIA COUNTY COMBINED SPECIAL PURPOSE DISTRICTS
Skamania County, Washington
January 1, 1991 Through December 31, 1992

Schedule Of Findings - Skamania County Hospital District

1. Skamania County Hospital District Board Should Comply With The Open Public Meetings Act

Between September 1, 1992 and May 28, 1993, the Skamania County Hospital District board of commissioners held at least 16 meetings which violated the Open Public Meetings Act. Specifically, the board did not keep minutes of these meetings and we found no evidence it had notified the local newspaper of the time, place, and business to be transacted for any of these meetings. The board also violated the law when it excluded some of the public and district staff from a meeting held on April 6, 1993.

Board members Kim Upson, Patricia Colton, and Rudd Turner claimed and were paid \$576.69, \$684.93 and \$456.40, respectively, for per diem and mileage for attending these meetings, indicating they believed the meetings were for necessary district purposes.

RCW 42.30.080 states in part:

A special meeting may be called at any time by the presiding officer of the governing body of a public agency or by a majority of the members of the governing body by delivering personally or by mail written notice to . . . each local newspaper of general circulation . . . The call and notice shall specify the time and place of the special meeting and the business to be transacted.

RCW 42.30.030 states:

All meetings of the governing body of a public agency shall be open and public and all persons shall be permitted to attend any meeting of the governing body of a public agency

RCW 42.30.060 states:

No governing body of a public agency shall adopt any ordinance, resolution, rule, regulation, order, or directive, except in a meeting open to the public and then only at a meeting, the date of which is fixed by law or rule, or at a meeting of which notice has been given according to the provisions of this chapter. Any action taken at meetings failing to comply with the provisions of this subsection shall be null and void.

RCW 42.32.030 requires:

The minutes of all regular and special meetings except executive sessions of such boards, commissions, agencies or authorities shall be

promptly recorded and such records shall be open to public inspection.

As a result of the various violations of the Open Public Meetings Act, any ordinances, resolutions, rules, regulations, orders or directives enacted at these meetings are null and void.

The board indicates they were not aware of all the requirements of the Open Public Meetings Act. However, now that they are informed, any future intentional violation could subject board members to the \$100 per meeting civil penalty provided by RCW 42.30.120.

We recommend the hospital district board comply with all the provisions of the Open Public Meetings Act, particularly they should:

- a. Ensure that all meetings are open and public.
- b. Notify the news media of special meetings.
- c. Record and retain in the district office the minutes of all public meetings.